



**US Army Corps
of Engineers**
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News Release

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Corps of Engineers gives update on Bayport permit

GALVESTON -- Pending water quality certification and Coastal Zone Consistency by the Texas Commission on Environmental Quality (TCEQ), the U.S. Army Corps of Engineers, Galveston District's decision will be to issue Department of Army Permit 21520 for the construction of the Bayport Ship Channel Container/Cruise Terminal.

The Record of Decision was sent to TCEQ, Dec 5 and a certification decision is expected within 10 working days. The document remains in draft format until signed and finalized by the district engineer.

"We have carefully conducted a fair and impartial process in reaching our decision, following NEPA guidelines and Corps regulations. It is an extremely complicated issue that has taken five years to conclude. We have worked to find answers to lessen the impacts of the proposed project," said Col. Leonard Waterworth, District Engineer and Commander. "Any large public infrastructure project will affect some local residents, however, the Corps is charged with making difficult decisions based upon the overall public interest."

Construction of the project will impact approximately 20 acres of jurisdictional wetlands. An additional 126 acres of wetlands exist on this property but fall outside the jurisdiction of the Corps. One hundred and twenty-seven acres of open bay will be dredged for berthing areas, an access area from the ship channel to the berths, and a new turning basin. In addition, up to 200 acres of open water in Galveston Bay would be converted into an intertidal marsh as a beneficial use of dredged material site.

The Port of Houston Authority will provide approximately 1,130 acres of mitigation to compensate for impacts to habitat and ecological values at the project site. This includes wetlands creation, wetlands enhancement, prairie enhancement, and uplands preservation at the 174-acre Memorial Tract adjacent to Armand Bayou, preservation of the 456-acre Banana Bend Tract on the San Jacinto River, and preservation of 500 acres of coastal prairie within the Cypress Creek watershed, San Jacinto River Basin, or within the San Jacinto-Brazos Coastal Basin. The Port of Houston Authority proposes to determine the exact location of the 500-acre coastal prairie tract at a later date in coordination with the U.S. Fish and Wildlife Service and the Texas Parks and Wildlife Department.

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Seventy-eight possible alternatives were analyzed during the process; including Spilmans Island, Shoal Point, Upper San Jacinto Bay, Pelican Island and Cedar Point. Some alternatives had several major environmental issues; the final eight were looked at extensively.

The Corps has received thousands of comments from the public regarding the controversial Bayport Container/Cruise Terminal permit action. Comments run the gamut from impacts on air quality to noise pollution to property values losses and other issues. Therefore, special conditions have been included in the Record of Decision to further satisfy and protect the public interest. The Compliance Section of Galveston District's Regulatory Branch will monitor compliance with the conditions in the permit.

Once the Record of Decision is signed and finalized by Col. Waterworth, it will be posted on the Corps website and will be available to the public. The website can be seen at: www.swg.usace.army.mil.